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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. MJ 17-400
10)
11 Plaintiff,)
12)
13 v.)
14 FELIX ANTONIO SARABIA PENA,)
15)
16 Defendant.)
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23 Offense charged: Possession of Methamphetamine with Intent to Distribute

24 Date of Detention Hearing: September 26, 2017.

25 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
26 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
27 that no condition or combination of conditions which defendant can meet will reasonably assure
28 the appearance of defendant as required and the safety of other persons and the community.

29 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

- 30 1. Defendant is reportedly a citizen of Mexico.
31 2. The United States alleges that his presence in this country is illegal. It is not

01 known if there is an immigration detainer pending against him. His criminal history indicates a
02 prior deportation.

03 3. Defendant and his counsel offer no opposition to entry of an order of detention.
04 However, counsel may ask for review of the detention order if no immigration detainer is filed.

05 4. Upon advice of counsel, defendant declined to be interviewed by Pretrial
06 Services. Therefore, there is limited information available about him.

07 5. Defendant poses a risk of nonappearance due to lack of verified background
08 status, including unconfirmed immigration status. Defendant poses a risk of danger due to the
09 nature of the charge. There does not appear to be any condition or combination of conditions
10 that will reasonably assure the defendant's appearance at future Court hearings while addressing
11 the danger to other persons or the community.

12 It is therefore ORDERED:

- 13 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
14 General for confinement in a correction facility separate, to the extent practicable, from
15 persons awaiting or serving sentences or being held in custody pending appeal;
- 16 2. Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;
- 18 3. On order of the United States or on request of an attorney for the Government, the person
19 in charge of the corrections facility in which defendant is confined shall deliver the
20 defendant to a United States Marshal for the purpose of an appearance in connection
21 with a court proceeding; and
- 22 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services
02 Officer.

03 DATED this 26th day of September, 2017.

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Mary Alice Theiler
United States Magistrate Judge